

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, OCTOBER 30, 2013**

PRESENT: Peter F. Murphy, Chairman, Springfield District
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
Ellen J. Hurley, Braddock District
Jay P. Donahue, Dranesville District
James T. Migliaccio, Lee District
Earl L. Flanagan, Mount Vernon District
Kenneth A. Lawrence, Providence District
John L. Litzenberger, Jr., Sully District
Janyce Hedetniemi, Commissioner At-Large
James R. Hart, Commissioner At-Large
Timothy J. Sargeant, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 8:16 p.m. by Chairman Peter F. Murphy in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Lawrence announced that the Planning Commission's Policy and Procedures Committee had reviewed and endorsed the "Draft Fairfax Forward Evaluation Criteria for 2015 Evaluation." He added that the draft was on the county's website under Fairfax Forward "What's New" and stated that he intended to recommend it to the Planning Commission at the meeting scheduled for Thursday, November 14, 2013.

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Commissioner Hart announced that the Planning Commission's Environment Committee would meet on Wednesday, November 6, 2013, at 7:00 p.m. in the Board Conference Room of the Fairfax County Government Center to continue discussion on proposed changes to Fairfax County Stormwater Management Ordinance and receive an update from staff on the Green Building Amendment.

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2232A-D02-13-1 – VERIZON WIRELESS, 1350 Beverly Road

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN THE MEMORANDUM DATED OCTOBER 23, 2013, CONCERNING 2232A-D02-13-1, VERIZON WIRELESS AT 1350 BEVERLY ROAD, MCLEAN, THAT THIS APPLICATION IS SUBSTANTIALLY IN

ACCORD WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN," PURSUANT TO VIRGINIA CODE SECTION 15.2-2232 AS AMENDED.

Commissioner Litzenberger seconded the motion, which carried by a vote of 12-0.

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Commissioner Hurley MOVED TO DEFER RZ/FDP 2012-BR-020 FOR DECISION ONLY TO A DATE CERTAIN OF NOVEMBER 14, 2013, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioners Hall and Migliaccio seconded the motion, which carried by a vote of 12-0.

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Commissioner Donahue MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON SE 2013-DR-001, TD BANK NATIONAL ASSOCIATION, TO A DATE CERTAIN OF THURSDAY, DECEMBER 5, 2013, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioner Litzenberger seconded the motion, which carried by a vote of 11-0-1.
Commissioner Hart abstained from the vote.

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RZ 2009-PR-022 – JAMES HOLLINGSWORTH (Decision Only) (The public hearing on this application was held on October 3, 2012. A complete verbatim transcript of the decisions made is in the date file.)

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2009-PR-022, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED OCTOBER 30, 2013, WITH EDITORIAL CORRECTIONS BY THE TIME A BOARD DATE IS REACHED; AND THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE COMPREHENSIVE PLAN TRAIL REQUIREMENT TO ALLOW AN EIGHT-FOOT-WIDE TRAIL.

Commissioner Flanagan seconded the motion, which carried by a vote of 11-0-1. Commissioner Sargeant abstained from the vote.

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ORDER OF THE AGENDA

Secretary Hall established the following order of the agenda:

1. S13-II-M3 – COMPREHENSIVE PLAN AMENDMENT (MCLEAN COMMUNITY BUSINESS CENTER)

2. ST 09-III-DS1, S07-III-UP2, S09-III-UP2 – COMPREHENSIVE PLAN AMENDMENT
(LAND UNIT A, ROCKS PARCEL, AND ELDEN STREET PARCEL)

This order was accepted without objection.

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S13-II-M3 – COMPREHENSIVE PLAN AMENDMENT (MCLEAN COMMUNITY BUSINESS CENTER) – To consider proposed revisions to the Comprehensive Plan for Fairfax County in accordance with the *Code of Virginia*, Title 15.2, Chapter 22. The Amendment concerns the McLean Community Business Center (CBC) that extends north, south, east, and west of the intersection of Old Dominion Drive and Chain Bridge Road. The northern boundary is Dolley Madison Boulevard (Route 123). The amendment proposes to clarify and make editorial changes to the McLean CBC Comprehensive Plan language.
DRANESVILLE DISTRICT. PUBLIC HEARING.

Aaron Klibaner, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended an alternative approval based on text developed by the McLean Planning Committee, as shown on pages 2 through 45 of the staff report dated October 3, 2013.

Chairman Murphy called for speakers from the audience, but received no response. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Donahue for action on this item. (A verbatim excerpt of the decision made is in the date file.)

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Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT THE STAFF ALTERNATIVE FOR PLAN AMENDMENT S13-II-M3, AS SHOWN ON PAGES 2 THROUGH 45 OF THE STAFF REPORT DATED OCTOBER 3, 2013, MODIFIED SUCH THAT THE WORD “CONVENIENCE” IS REPLACED WITH THE WORDS “COMMUNITY AND/OR NEIGHBORHOOD SERVING” ON PAGES 17, 22, AND 29.”

Commissioners Litzenberger and Hedetniemi seconded the motion, which carried by a vote of 12-0.

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ST 09-III-DS1 & S07-III-UP2 – COMPREHENSIVE PLAN AMENDMENT (LAND UNIT A & ROCKS PARCEL) – To consider proposed revisions to the Comprehensive Plan for Land Unit A of the Dulles Suburban Center which is bounded on the north by the Dulles Airport Access Road and Toll Road (DAAR, Route 267), on the east by Centreville Road, on the south by Frying Pan Road, and on the west by

Route 28, Washington Dulles International Airport and the Loudoun County boundary. The commercial portion of Land Unit B, on the east side of Centerville Road, was included in the study but is not proposed for any changes. The Plan Amendments include new guidance to achieve stronger transit-oriented development and encourage a mix of uses in an urban form in the planned Innovation Center Transit Station Area (TSA). The area north of the Merrybrook Run Stream Valley is proposed to be in the designated TSA with planned intensity ranging from .75 to 3.0 FAR. South of the Merrybrook Run Stream Valley, the proposed plan is to maintain the existing character and uses with intensity ranging from .50 to 1.0 FAR. The large area of vacant land north of Frying Pan Road is also proposed for a mix of uses at an intensity range of .50 to 1.0 FAR. Additional proposed guidance addresses transportation improvements, environmental stewardship, urban design and provision of services such as parks and schools. Changes to other sections of the Dulles Suburban Center text to reflect the above revisions are also proposed. (Concurrent with S09-III-UP2.) DRANESVILLE DISTRICT.

S09-III-UP2 – COMPREHENSIVE PLAN AMENDMENT (ELDEN STREET PARCEL) – Appl. to consider proposed revisions to the Comprehensive Plan that addresses the commercial area located north of the Dulles Toll Road and west of Centerville Road and its transition to Elden Street; and the proposed plan guidance encourages improvements to the transitional buffers and pedestrian connectivity. (Concurrent with ST 09-III-DS1 & S07-III-UP2.) DRANESVILLE DISTRICT. JOINT PUBLIC HEARING.

Clara Quintero-Johnson, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff had worked closely with the Route 28 Station Area-South Work Group to develop proposed Comprehensive Plan guidance that would provide for a balanced mix of uses to be integrated with the planned Metrorail station and designed for a high level of walkability. Consensus between staff and the Work Group was achieved for nearly all of the proposed Plan amendment recommendations, including the land use mix and intensity. She added, however, that staff and the Work Group propose alternative recommendations for stormwater management and the amount of the non-residential contribution for affordable and workforce housing.

Jeffrey Fairfield, Chairman, Route 28 Station Area-South Work Group, pointed out that the Work Group and county staff were in complete alignment except for two issues and commended everyone for working so diligently, given the number of issues. He added that he had served on the Task Force in 2000 and 2001, the work of which led to the current draft, and said that with the opening of the Silver Line approaching this guidance must be approved to begin development that will capitalize on the existing infrastructure. Addressing the outstanding issues, Mr. Fairfield said that while the Work Group endorsed affordable and workforce housing, it opposed the \$3.00 contribution rate to the Housing Trust Fund for nonresidential development, noting that this area of the Dulles Corridor should be required to contribute \$2.00 per square foot instead, given the rental, land use, and building values. He further added that the recommendations for stormwater

management were excessively restrictive, particularly for developments with an intensity over 1.0 floor area ratio (FAR). He stated that such a restriction might be premature in light of upcoming changes in state law, and pointed out that a 25 percent reduction in runoff might simply be impossible to achieve. (A copy of Mr. Fairfield's statement is in the date file.)

Commissioner Donahue announced his intent to defer the decisions on these applications at the end of the public hearing, after which he commended county staff and the Work Group for their work.

Commissioner Litzenberger said that the contribution rate for the Housing Trust Fund for nonresidential development had been created in part to fulfill a requirement by the Board of Supervisors, but also to provide the developers in Tysons a fair and equitable charge. He explained that the Planning Commission's Joint Housing Committee proposed a tiered program of \$3.00 per square foot within a quarter mile of a transit station, \$2.00 outside of a quarter mile and up to half a mile, and \$1.00 outside of a half mile area. He stated that a flat \$2.00 rate for the entire proposed parcel would contradict that proposal and suggested that the contribution be reviewed during the deferral period.

Commissioner Hart referenced Figure 17 on page 12 of the staff report and asked if Fairfax County had an agreement with Loudoun County on the proposed new bridge over the Dulles Toll Road into Loudoun County. Ms. Johnson stated that staff from both counties had discussed the bridge, adding that the Loudoun County Transportation Plan Map had been updated to show the crossing at the proposed location.

When Commissioner Hart asked if the Loudoun County section should be indicated on the Fairfax County Plan Map, Michael W. Garcia, AICP, Fairfax County Department of Transportation (FCDOT), explained that its depiction in the figure showed the commitment between both counties. Commissioner Donahue added that Loudoun County representatives had attended a number of meetings during which the bridge had been discussed.

Commissioner de la Fe questioned the viability of the proposed bridge between both counties, noting that the bridge may break-up Sunrise Valley Drive. Commission Donahue said that the bridge would alleviate various transportation issues within Fairfax County, but acknowledged that its design and location must be monitored closely to ensure that it was designed and located appropriately to meet everyone's needs.

Commissioner Migliaccio expressed concern about the Tysons housing contribution rate being applied countywide without a countywide guideline in the Comprehensive Plan, particularly with two Metrorail transit line endings where nonresidential development had historically been difficult to attract. He asked how staff determined the \$3.00 rate for this application. Ms. Johnson stated that the rate was based on that for Tysons. A brief discussion followed wherein Sterling Wheeler, PD, DPZ, explained to Commissioner Migliaccio that after reviewing the contributions of other jurisdictions, staff had determined a rate consistent with the neighboring Arlington County, at \$3.00. When Commissioner Migliaccio asked if the contribution funds would be used for the application site only or this and other areas, Ms. Johnson stated that it was intended for use on the application site only.

Commissioner Hedetniemi asked why the staff and the Work Group had not created specific urban design standards for these applications. Ms. Johnson noted that while countywide standards might be necessary for mixed-use centers, this plan amendment contained sufficient urban design guidelines that specifically addressed this development. Mr. Wheeler pointed out that the discussion for countywide guidelines had arisen as a result of the Work Group members' similar experiences in other task forces where streets and similar design aspects were involved.

Commissioner Litzenberger reiterated his earlier explanation of the tiered rate ("3/2/1 concept"), adding that the recommendation had been sent to the Board of Supervisors for review and/or comment. He said, if it were approved, it would then go to the Planning Commission for public hearing; if not, the proposal would need to be modified and reviewed again. Commissioner Migliaccio countered that tonight Planning Commissioners were hearing a case for a plan amendment for a site outside of Tysons that required developers to pay the Tysons housing contribution rate, and suggested that the Joint Housing Committee's recommendation might be delayed until a countywide rate could be determined.

Commissioner Hart asked how, if at all, the adoption of the 3-tiered rate might affect these applications if they were approved tonight. Mr. Wheeler stated that there was no answer to that as of yet; however, he said that if these amendments were adopted prior to the 3/2/1 concept, then Board might have to authorize subsequent amendments because the rates would exceed the areas beyond the quarter mile. Commissioner Donahue added that Mr. Sterling's latter remark was one of the reasons for the deferral of the decisions.

Commissioner Sargeant noted that the amendments contained Transportation Demand Management (TDM) recommendations and asked if there were any recommendations regarding areas beyond the transit station area (TSA). Mr. Garcia referenced the tables in the staff report depicting the tiered planned intensity for areas around the transit stations. When Commissioner Sargeant asked if future monitoring would be contained within those areas, Mr. Garcia confirmed that it would, adding that projected traffic impacts were based on rates set by the Institute of Transportation Engineers (ITE), with an inherent reduction built in.

Chairman Murphy called the first listed speaker and recited the rules for testimony.

Graham Brock, representing JLB Partners, 8120 Woodmont Avenue, Bethesda, MD, noted that JLB Partners had recently purchased over 11 and a half acres of vacant land in the area and said that he had recently submitted an application for a 500-unit rezoning, noting that part of the rezoning included a dedication of land to provide an extension of Fort McNair Road across Centreville Road onto Dulles Technology Drive. He encouraged flexibility in the language so that developers could create a street grid system that would benefit the development and surrounding properties. He also said that flexibility in relation to the workforce housing and stormwater requirements would also be beneficial in that it would prevent caps at the 1.0 FAR point, which might limit applicants' capabilities to provide the kind of development needed in the county.

When Commissioner Donahue asked staff whether the road connection would be problematic, Ms. Johnson explained that discussions between staff, the Park Authority, and the property owner were ongoing to ensure that the Park property would not be negatively impacted nor the

stormwater retention disturbed. Mr. Brock further explained that his proposal for the construction of the road would require some flexibility in order to provide the connection, and added that he would continue to work with staff and the Park Authority.

Gregory A. Riegle, Applicant's Agent, McGuireWoods LLP, 1750 Tysons Boulevard, Tysons Corner, noted that he was a member of the Work Group and supported staff's recommendations. He stated that the majority of the property in the study area had existing zoning, in most cases single-use commercial zoning. He added that the Work Group provided plausible incentives for re-planning the site, adding that he supported the use and density recommendations, and aligned himself with Mr. Brock's remarks with regard to ensuring sufficient flexibility in the grid of streets to accommodate reasonable land planning. He also pointed out that he represented the owner of Unit A5, an undeveloped I-5 zoning, and pointed out that staff had been very accommodating in assuring land owners that the site figure in the staff report was conceptual and subject to change, and that there was room to allow for proffered site-specific planning.

Chairman Murphy called for speakers from the audience, but received no response. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Sargeant for action on this item. (A verbatim excerpt of the decision(s) is in the date file.)

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Donahue for action on this case. (A verbatim excerpt of the decision made is in the date file.)

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Commissioner Donahue MOVED THAT THE PLANNING COMMISSION DEFER THESE THREE APPLICATIONS, NAMELY ST 09-III-DS1, THE SECOND ONE IS S07-III-UP2, AND THE THIRD BEING S09-III-UP2 TO A DATE CERTAIN OF THURSDAY, NOVEMBER 21, 2013, WITH THE RECORD REMAINING OPEN.

Commissioner de la Fe seconded the motion, which carried by a vote of 12-0.

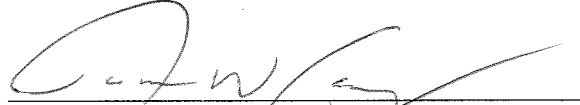
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The meeting was adjourned at 9:19 p.m.
Peter F. Murphy, Chairman
Janet R. Hall, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office,
12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Jeanette Nord

Approved on: July 17, 2014

A handwritten signature in dark ink, appearing to read "John W. Cooper", is written over a horizontal line.

John W. Cooper, Clerk to the
Fairfax County Planning Commission